

PROPOSED RULES OF PROCEDURE

I. MORAL CHARACTER PROCEEDINGS

RULE 680. SCOPE

These rules apply to proceedings and hearings before the State Bar Court to determine whether an applicant for admission to the practice of law in California possesses good moral character within the meaning of Business and Professions Code section 6060(b) and rule X of the Rules Regulating Admission to Practice Law in California. The hearings before the State Bar Court are de novo and are not limited to matters considered by the Committee of Bar Examiners.

RULE 681. COMMENCEMENT OF PROCEEDING; TIME FOR FILING

[Unchanged.]

RULE 682. TIME PERIOD FOR COMPLETING INVESTIGATION; RESPONSE TO APPLICATION

- (a) For one hundred twenty (120) days from the filing of the application, the Office of the Chief Trial Counsel shall conduct an independent investigation of the applicant's moral character. For good cause, the investigation period may be extended by the Court.
- (b) No later than ten (10) days after the end of the investigation period, the Office of the Chief Trial Counsel shall file with the Court and serve a response to the application. The response shall include a statement of the grounds upon which the application is opposed, if any.

RULE 683: TIME PERIOD FOR COMPLETING DISCOVERY

- (a) The parties may conduct discovery following the filing of the Office of the Chief Trial Counsel's response to the application. Formal discovery shall be completed within one hundred twenty (120) days after the end of the investigation period unless, for good cause, the discovery period is shortened or lengthened by the Court on its own motion or on the motion of any party.
- (b) Discovery requests must be served so as to allow each responding party sufficient time to respond within the discovery period.

RULE 684. ABATEMENT OF PROCEEDING

[Unchanged.]

RULE 687. INAPPLICABLE RULES

The following rules shall not apply in a moral character proceeding:

- (a) Rules which by their terms apply only to disciplinary proceedings or to other specific proceedings, and
- (b) Rules 116-118 (abatement); rules 181 and 187(a) (time for completing and serving discovery); rules 200-210 (default; obligation to appear at trial); and rules 215-217 (admission of certain evidence).